

Attorney's Docket 008895-0325576
Client Reference: WIT/P64060US00

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re PATENT APPLICATION of:
Martin D. Bijker, *et al.*

Confirmation Number: 1952

Application No.: 10/566,153

Group Art Unit: 1792

Filed: February 20, 2007

Examiner: Nathan K. Ford

For: METHOD AND APPARATUS FOR APPLYING A COATING ON A SUBSTRATE

RESPONSE TO RESTRICTION/ELECTION REQUIREMENT

**Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450**

Sir:

In response to the Election/Restriction Requirement mailed March 24, 2010, Applicant hereby elects Group I, corresponding to claims 1-16 and 33-34, that are drawn to a method for applying a coating on a substrate for prosecution in the application identified above. This election is made with traverse.

Applicant disagrees with the Examiner's characterization of the alleged "special technical feature" linking the inventions of Group I and Group II. Independent claims 1 and 17 (corresponding to Group I and Group II, respectively) recite " ... wherein the coating applied by each source has a layer thickness according to a *certain deposition profile* ... after the coating process, *addition of the deposition profile* results in a substantially uniform layer thickness of the coating on a part of the substrate." [emphasis added]. The Restriction Requirement fails to consider *at least* these features of claims 1 and 17, let alone how U.S. Patent No. 6,397,776 to Yang *et al.* (hereafter "Yang") might allegedly teach these features.

For example, the cited portions of Yang merely mention that "[s]pacing of the ETP generating means also has an effect on the uniformity of the coating deposited on the substrate." [Yang, col. 6, lines 22-24]. However, as Applicant pointed out with